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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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K&S PRODUCE INC.

Plaintiff,

-against-

SY 44 FOOD CORP a/k/a- d/b/a BREAD & BUTTER,  
SOO BOOK KIM a/k/a SOO BOK KIM, and  
YOUNG SOO HONG a/k/a YOUNG S. HONG,  
Individually and in any Corporate Capacity.

Defendants.  
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Index No. 1:20-CV-09663

**DEFAULT JUDGMENT**

**[Fed.R.Civ.P.55 (b) (2)]**

Upon consideration of Plaintiff's motion for entry of a default judgment against the Defendants SY 44 FOOD CORP a/k/a- d/b/a BREAD & BUTTER ("SY 44 FOOD CORP"), SOO BOOK KIM a/k/a SOO BOK KIM ("KIM") and YOUNG SOO HONG a/k/a YOUNG S. HONG ("HONG"), the Declaration of Timothy J. Fierst, Esq., dated April <sup>13</sup>~~12~~, 2021, the Declaration of Lee Pakulsky dated April 12, 2021, and the exhibits annexed thereto, the Memorandum In Support of Plaintiff's Motion for Default Judgment Against Defendants SY 44 FOOD CORP, KIM and HONG, and upon a hearing of the Plaintiff's motion having been held on May 24, 2021 and hearing Timothy J. Fierst, Esq. in support of the motion and there being no opposition thereto, and it appearing to the Court that the Defendants SY 44 FOOD CORP, KIM, and HONG have failed to plead or otherwise defend in this action; and that a principal balance in the amount of \$48,465.25 is alleged due plaintiff K&S Produce Inc. pursuant to the parties'


contract, and that Plaintiff has the right to recover against Defendants SY 44 FOOD CORP, KIM and HONG, jointly severally, pursuant to Section 5(c) of the Perishable Agricultural Commodities Act, 7 U.S.C. §499(e)(a-c) ("PACA"), it is hereby

**ORDERED**, that Plaintiff's motion for entry of a default judgment be, and the same is hereby granted and it is further

**ORDERED, ADJUDGED AND DECREED**, that judgment is hereby entered in favor of Plaintiff, K&S PRODUCE INC., 22-19 160 Street, Whitestone, NY 11357, and against SY 44 FOOD CORP a/k/a- d/b/a BREAD & BUTTER, 757 3<sup>rd</sup> Avenue, New York, NY 10017, in favor of SOO BOOK KIM a/k/a SOO BOK KIM, 757 3<sup>rd</sup> Avenue, New York, NY 10017 and in favor of YOUNG SOO HONG a/k/a YOUNG S. HONG, jointly and severally in the amount of \$48,465.25; plus post judgment interest at the rate provided for by 28 U.S.C. §1961(a) from the date of entry of this Judgment, plus costs in the amount of \$400 and Plaintiff have execution therefor, and it is further

**ORDERED, ADJUDGED AND DECREED** that the stay imposed by Fed. R. Civ. P. 62 (a) is hereby vacated, Plaintiff may immediately execute upon this judgment and the Clerk shall immediately issue an abstract of judgment upon Plaintiff's proper application therefor.

**ENTERED**, this 16<sup>th</sup> day of June, 2021

  
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JOHN P. CRONAN  
United States District Judge